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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/709,704	05/24/2004	Alex Colvin	81100109	3703
46535	7590	10/11/2006	EXAMINER	
BIR LAW, PLC/FGTL 13092 GLASGOW CT. PLYMOUTH, MI 48170-5241			ART UNIT	PAPER NUMBER

DATE MAILED: 10/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



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EXAMINER

ART UNIT      PAPER

20061003

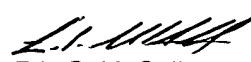
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**Commissioner for Patents**

The Appeal Brief submitted on July 24, 2006 is defective because the brief sets forth the appealed claims as being the claims presented in the after-final amendment dated March 02, 2006. However, that amendment was not entered. The Advisory Action dated March 13, 2006 indicated that the amendment was not entered. As such, the appealed claims presented in the Appeal Brief are not correct.

Thus, the Appeal Brief is non-responsive. See 37 CFR 1.111. Since the above-mentioned reply appears to be bona fide, the Applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

  
Eric S. McCall  
Primary Examiner  
Art Unit: 2855